

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KENNETH COLLINS,

Plaintiff,

-against-

UNIVERSITY PRESS OF MISSISSIPPI, and PHOTOFEST, INC.,

Defendants.

**NOTICE OF MOTION
TO ADMIT
LARRY A. SCHEMMELE
PRO HAC VICE**

07-CV-7067 (SHS)

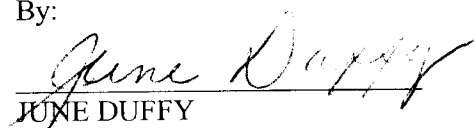
PLEASE TAKE NOTICE that, upon the annexed affidavits of June Duffy, sworn to December 5, 2007 and Larry A. Schemmel, sworn to November 27, 2007, and exhibits thereto, the undersigned will move this Court before the Honorable Sidney H. Stein at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at a day and time to be determined by the Court, for an order, pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, granting Larry A. Schemmel, a Special Assistant Attorney General of Mississippi, *pro hac vice* admission to the Bar of this Court on behalf of Defendant University Press of Mississippi in this action.

Dated: New York, New York
December 6, 2007

Respectfully submitted,

ANDREW M. CUOMO
Attorney General of the State
of New York

By:


JUNE DUFFY
Assistant Attorney General
In Charge of Litigation
Office & P.O. Address
120 Broadway, 24th Floor
New York, New York 10271
(212) 416-8618

TO: Matthew D. Stratton, Esq.
Morgan, Lewis & Bockius LLP
Attorney for Plaintiff
101 Park Avenue
New York, NY 10178

Nancy E. Wolff, Esq.
Cowan, DeBaets, Abrahams & Sheppard LLP
Attorneys for Defendant Photofest Inc.
41 Madison Avenue, 34th Floor
New York, NY 10010

DEC 10 2007
925-63545-3

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KENNETH COLLINS,

Plaintiff,

-against-

UNIVERSITY PRESS OF MISSISSIPPI, and PHOTOFEST, INC.,

Defendants.

**AFFIDAVIT OF
JUNE DUFFY
IN SUPPORT
OF MOTION**

07-CV-7067 (SHS)

STATE OF NEW YORK)

ss:

COUNTY OF NEW YORK)

JUNE DUFFY, being duly sworn, deposes and says:

1. I am an Assistant Attorney General in the Office of ANDREW M. CUOMO, the New York State Attorney General. I am the Bureau Chief of the New York City Litigation Bureau. I am a member in good standing of the Bar of the State of New York, admitted to practice law in 1987. I am also admitted to the Bar of the United States District Court for the Southern District of New York. I make this affidavit in support of the motion pursuant to Rule 1.3 (c) of the Local Rules of this Court, for admission of Larry A. Schemmel to this Court, *pro hac vice*, to represent Defendant University Press of Mississippi in this action.

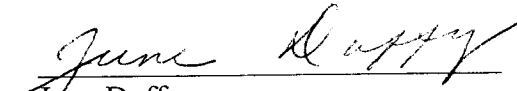
2. Mr. Schemmel is a Special Assistant Attorney General of Mississippi and is a member in good standing of the Bar of the State of Mississippi. Mr. Schemmel has represented to me that he is fully familiar with the Federal Rules of Civil Procedure and the Local Rules of this Court.

3. Accordingly, I respectfully request that Larry A. Schemmel be admitted to the Bar of this Court, *pro hac vice*, for the purpose of representing Defendant University Press of

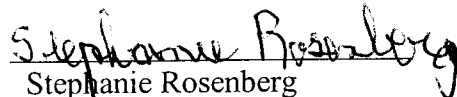
Mississippi in this action. Attached is a proposed order granting the admission of Larry A.

Schemmel, *pro hac vice* to this Court.

Dated: New York, New York
December 5, 2007


June Duffy

Sworn to before me this
5 day of December, 2007


Stephanie Rosenberg
Notary Public of the
State of New York

STEPHANIE ROSENBERG
Notary Public, State of New York
No. 01RO4699796
Qualified in Nassau County
Certificate Filed in New York County
Commission Expires July 18, 2010

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

Stephanie M. Rosenberg, being duly sworn, deposes and says:

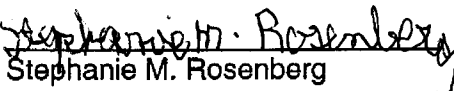
That she is a Managing Clerk in the Office of ANDREW M. CUOMO, the Attorney General of the State of New York. On the 10th day of December, 2007, she served the annexed Notice of Motion, Affidavit of June Duffy, Affidavit of Larry A.

Schemmel and Proposed Order upon the following named persons:

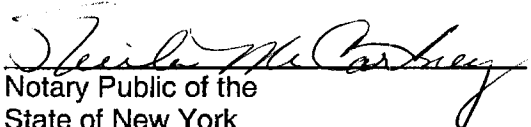
Matthew D. Stratton, Esq.
Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, NY 10178

Nancy E. Wolff, Esq.
Cowan, DeBaets, Abrahams & Sheppard LLP
41 Madison Avenue, 34th Floor
New York, NY 10010

counsel for Plaintiff and co-Defendant, respectively, in the within-entitled action, by depositing a true and correct copy thereof, properly enclosed in a post-paid wrapper, in a post-office box regularly maintained by the United States Postal Service at 120 Broadway, New York, New York 10271 directed to said counsel for Plaintiff and co-Defendant, respectively, at the addresses within the State designated for that purpose.


Stephanie M. Rosenberg

Sworn to before me this
10 day of December, 2007.


Notary Public of the
State of New York

SHEILA McCARTNEY
Notary Public, State of New York
No. 24-4842295
Qualified in Kings County
Commission Expires 2/28/2010

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KENNETH COLLINS, Plaintiff,

-against-

UNIVERSITY PRESS OF MISSISSIPPI, and PHOTOFEST, INC.,

Defendants.

**AFFIDAVIT OF
LARRY A. SCHEMME**
07-CV-7067 (SHS)

STATE OF MISSISSIPPI §
§ ss:
COUNTY OF HINDS §

LARRY A. SCHEMME, being duly sworn, hereby deposes and says:

1. I am a Special Assistant Attorney General of Mississippi. I submit this affidavit in support of the Motion pursuant to Rule 1.3 (c) of the Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York for an order admitting me, the undersigned, *pro hac vice* to the Bar of this Court to represent Defendant University Press of Mississippi in this action.

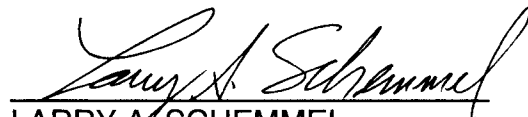
2. I am an attorney at law licensed to practice in the State of Mississippi and a member in good standing with the Bar of the State of Mississippi. I am also admitted to practice in the United States District Court for the Southern District of Mississippi, the United States District Court for the Northern District of Mississippi, the United States Court of Appeals for the Fifth Circuit, and before the United States Patent and Trademark Office. Attached hereto are certificates in good standing from the State Bar of Mississippi and the Supreme Court of Mississippi.

3. There are no pending disciplinary proceedings against me in any State or Federal Court. I have read the rules of this Court and will conduct myself in accordance with these rules.

WHEREFORE it is respectfully requested that I be admitted *pro hac vice* to represent Defendant University Press of Mississippi in this action.

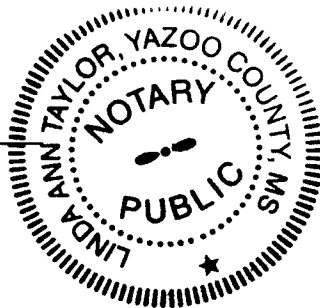
Dated: November 27, 2007
Jackson, Mississippi

Respectfully submitted,


LARRY A. SCHEMME
Mississippi Bar No. 9811
Special Assistant Attorney General
Mississippi Department of Transportation
P.O. Box 1850
Jackson, MS 39215-1850
(601) 359-7600
(601) 359-7774 FAX
lschemmel@mdot.state.ms.us

Sworn to before me this
27th day of November, 2007.


NOTARY PUBLIC
of the State of Mississippi



MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES OCT. 16, 2008
BONDED THRU STEGALL NOTARY SERVICE



THE MISSISSIPPI BAR

Post Office Box 2168
Jackson, Mississippi 39225-2168
Telephone (601) 948-4471
Fax (601) 355-8635
E-Mail info@msbar.org
Website www.msbar.org

Certificate of Good Standing

TO WHOM IT MAY CONCERN:

*This is to certify that the attorney named is a member in good standing of
The Mississippi Bar on Active status.*

Lawrence A Schemmel (Lawrence)
Office of the Attorney General
P O Box 1850
Jackson, MS 39215-1850

Bar Number: 9811
Admit Date: 09/29/1994

Kathy Bass
Membership Records Administrator

12/07/2007

Official Seal of The
Mississippi Bar

The Supreme Court of Mississippi



Certificate of Good Standing

*I, Betty W. Sephton, as Clerk of the Supreme Court of Mississippi, do hereby certify that **Lawrence Arthur Schemmel** was duly and legally admitted to practice law before the Supreme Court of Mississippi on September 29, 1994, and is now an attorney in good standing of the Bar of this Court, as shown by the records of said Court on file in this office.*

I further certify that the Supreme Court of Mississippi is the highest court of record in this state.

Done on December 3, 2007, with the seal of the Supreme Court of Mississippi affixed.

The Supreme Court of Mississippi


CLERK

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KENNETH COLLINS,

Plaintiff,

-against-

UNIVERSITY PRESS OF MISSISSIPPI, and PHOTOFEST,
INC.,

Defendants.

**ORDER ADMITTING
LARRY A. SCHEMMEL
PRO HAC VICE**

07-CV-7067 (SHS)

Upon the motion of June Duffy, an Assistant Attorney General in the Office of the New York State Attorney General Andrew M. Cuomo, and the Affidavit of June Duffy, sworn to December 5, 2007, it is

ORDERED, that

LARRY A. SCHEMMEL
Mississippi Bar No. 9811
Special Assistant Attorney General
Mississippi Department of Transportation
P.O. Box 1850
Jackson, MS 39215-1850
(601) 359-7600
(601) 359-7774 FAX
ischemmel@mdot.state.ms.us

is admitted to practice *pro hac vice* in this action in the United States District Court for the Southern District of New York, subject to the payment of the filing fee.

Dated: New York, New York
December , 2007

SO ORDERED

Sidney H. Stein
UNITED STATES DISTRICT JUDGE